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7

8 UNITED STATES DISTRICT COURT

9 NORTHERN DISTRICT OF CALIFORNIA - SAN FRANCISCO

10 HUBB SYSTEMS, LLC,

11 Plaintiff,

12 vs.

13 MICRODATA GIS, INC.,

14 Defendant.

Case No.: C07-02677 BZ

[PROPOSED] ORDER

Date: August 1, 2007

Time: 10:00 am

Courtroom G

Magistrate Judge Bernard Zimmerman

15
16 WHEREAS, the motion of Plaintiff HUBB SYSTEMS, LLC ("Plaintiff") for a
17 preliminary injunction was heard before this Court on August 1, 2007, at 10:00 a.m., in
18 Courtroom G; and

19 WHEREAS, William E. Adams appeared on behalf of Plaintiff and Breck E. Milde
20 appeared on behalf of Defendant microDATA GIS, Inc. ("Defendant"); and

21 WHEREAS, it appearing to the satisfaction of the Court that Plaintiff has established a
22 combination of probable success on the merits of its trademark infringement claim against
23 Defendant and the possibility of irreparable harm;

24 IT IS THEREFORE ORDERED that Plaintiff's motion is GRANTED.

25 IT IS FURTHER ORDERED that the following preliminary injunction shall be issued:

26 (a) prohibiting Defendant from using for any purpose the trade name "Data911"
27 which has been continuously used in commerce by Plaintiff and its predecessor in interest since
28 1989;

1 (b) requiring Defendant to change its trade name so that the phrase "Data911 " will
2 not be included in such name;

3 (c) requiring Defendant to turn over possession and control to Plaintiff of the
4 internet domain name "microdata911.com;"

5 (d) requiring Defendant to deliver up to Plaintiff's counsel for destruction any
6 materials that contain imitations of the trade name or that contain marks that are confusingly
7 similar to the Plaintiff's trade name, logo, or advertising, including any that include the term
8 "Data911"; and

9 (e) ordering expedited discovery to determine the extent and breadth of Defendant's
10 infringing activities.

11
12 DATED: _____

Judge of the Superior Court

PROOF OF SERVICE - F.R.C.P. §5

I, the undersigned, declare: I am employed in the County of Alameda, State of California. I am over the age of 18 and not a party to the within action. I am employed by Fitzgerald Abbott & Beardsley, located at 1221 Broadway, 21st Floor, Oakland, CA 94612. I am readily familiar with this firm's business practice of processing of documents for service.

I hereby certify that on **June 22, 2007**, a true and correct copy of the following document(s) was filed electronically:

[PROPOSED] ORDER

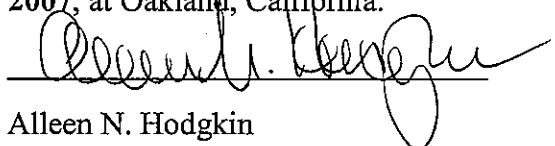
Notice of this filing will be sent by operation of the United States District Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties listed below will be served by the method indicated:

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Counsel for Defendant microDATA GIS, Inc.

X	U.S. Mail - By placing a copy of said document(s) in a sealed envelope with postage thereon fully prepaid, and depositing said envelope with the U.S. Postal Service, following this firm's business practices.
	Federal Express - By placing a copy of said document(s) in a sealed pre-paid overnight envelope and deposited with Federal Express, following this firm's business practices.
	By Personal Service - I caused such envelope to be delivered by hand on the office(s) of the addressee(s).
	Facsimile - By placing a true copy thereof into a facsimile machine to the fax number stated above, as evidenced by the attached transmission report.

I declare under the penalty of perjury under laws of the State of California that the foregoing is true and correct. Executed on **June 22, 2007**, at Oakland, California.


 Alleen N. Hodgkin